

MINUTES OF THE LAFAYETTE COMMON COUNCIL
AUGUST 7, 2000
REGULAR SESSION

The Common Council of the City of Lafayette, Indiana met in regular session on Monday, August 7, 2000, at 7:00 p.m. in the City Hall Council Chambers, 20 North 6th Street, Lafayette, Indiana.

President Rhoda called the meeting to order at 7:00 p.m.

The Pledge of Allegiance was given to the flag of our Country.

The following members were:

Present: Boehning, Klink, Meyer, Probasco, Campbell, Brown, Fisher, Roswarski, Rhoda
Absent: None

The City Clerk stated that there was a quorum present.

City Clerk Lisa Decker and City Attorney Eric Burns were present.

Councilman Probasco moved to approve the minutes from the July 5, 2000 special session, Councilman Campbell seconded. The minutes were approved by unanimous voice vote.

Councilman Campbell moved to approve the minutes from the July 10, 2000 regular session, Councilman Fisher seconded. The minutes were approved by unanimous voice vote.

The Clerk stated that there were no Presentations or Disposal of Claims or Presentations of Petitions or Communications.

The Clerk stated that the following reports are available in the Clerk's Office:

Controller's Office Monthly – June 2000
Motor Vehicle Monthly – June 2000
Police Department Monthly –June 2000
Miscellaneous Monthly Department Reports

Ordinances for Second Reading:

The Clerk read Ordinance 2000-11 (An Ordinance Annexing Certain Real Estate in to the City of Lafayette, Thomas J. Santefort, Harry Vandernood and James Tarvin, Petitioners) by title only for second and final reading. Councilman Campbell moved for passage, Councilman Probasco seconded. Joseph Bumbleburg, representing the petitioners, explained the proposal. Councilman Meyer moved to amend Ordinance 2000-11 to assign area to council district 1, Councilman Campbell seconded. The amendment passed by unanimous voice vote. Ordinance 2000-11, as amended, passed 8-0 on a roll call vote.

Ordinances for First Reading:

The Clerk read Ordinance 2000-32 (An Ordinance to Amend the Zoning Ordinance of Tippecanoe County, Indiana, to Rezone Certain Real Estate from R3 to NBU, Petitioner, Paul D. and Joyce A. Haas) by title only for first and final reading. Councilman Probasco moved for passage, Councilman Brown seconded. Paul Haas, 1216 Main Street, requested that council approve the proposal. Councilman Boehning spoke in favor of the proposal. Councilman Fisher inquired about the staff report and Councilman Boehning explained the staff recommendation. Caroline Briggs, attorney, stated that she will occupy the space and requested council approval. Councilman Klink inquired and Mr. Haas stated that he had spoken to neighbors and that no one had expressed opposition to the NBU zoning. Ordinance 2000-32 passed 8-0 on a roll call vote.

The Clerk read Ordinance 2000-33 (An Ordinance Amending All Chapters and Appendix B of Ordinance No. 97-51 being the Unified Zoning Ordinance of Tippecanoe County, Amendment 18) by title only for first and final reading. Councilman Meyer moved for passage, Councilman Boehning seconded. Councilman Fisher stated that he is concerned about event-oriented signs and stated that the Area Plan Commission needs to address this issue. Councilman Roswarski stated that he also felt that the issue needs to be studied further to allow for not-for-profit event signs. President Rhoda stated that there is a fairness issue that needs to be considered. Ordinance 2000-33 passed 8-0 on a roll call vote.

The Clerk read Ordinance 2000-34 (An Ordinance to Amend Section 1.02.040 of the Lafayette Municipal Code Pertaining to the Ordinance Violations Bureau) by title only for first reading. Councilman Campbell moved for passage, Councilman Fisher seconded. Eric Burns, City Attorney, stated that this ordinance would include the set out times for garbage containers in the Ordinance Violations Bureau for purpose of enforcement. President Rhoda inquired about the process for the Ordinance Violations Bureau. Opal Kuhl, Public Works Director, explained the process. Councilman Boehning further inquired about the Ordinance Violations Bureau procedures. Ordinance 2000-34 passed 8-0 on a roll call vote.

The Clerk read Ordinance 2000-35 (An Ordinance to Amend Chapter 11.06 Pertaining to Curfew for Minors) by title only for first reading. Councilman Campbell moved for passage, Councilman Probasco seconded. Councilman Boehning moved to amend Ordinance 2000-35 in its entirety as distributed, Councilman Probasco seconded. Mr. Burns explained a court ruling pertaining to curfews for minors in Indiana. Mr. Burns further explained the changes in the amendment that cleared up some inconsistencies in curfew times. Ordinance 2000-35, as amended, passed 8-0 on a roll call vote.

Councilman Probasco moved to suspend rules to hear Ordinance 2000-35, as amended, on second and final reading, Councilman Meyer seconded. The motion to suspend the rules passed by unanimous voice vote.

Councilman Meyer moved to hear Ordinance 2000-35, as amended, on second and final reading, Councilman Probasco seconded. Ordinance 2000-35, as amended, passed 8-0 on a roll call vote on second and final reading.

The Clerk read Ordinance 2000-36 (An Ordinance to Amend Section 10.01.040 Pertaining to Animals) by title only for first reading. Councilman Meyer moved for passage, Councilman Brown seconded. Councilman Meyer stated that the issue came to the Ordinance Committee by Councilman Brown. Councilman Meyer explained the proposal. Councilman Probasco inquired about the possibility of housing animals in sheds or other structures. Mr. Burns explained that the property issue would have to be studied. Councilman Probasco inquired about the time of weaning language. Councilman Meyer inquired about any zoning ordinance that would address the issue. Ms. Kuhl explained the zoning regulations. Councilman Klink asked Ms. Kuhl to look into the zoning issue before the next reading. Ordinance 2000-36 passed 8-0 on a roll call vote.

The Clerk read Ordinance 2000-37 (An Ordinance to Transfer Money Within the Redevelopment Department Budget) by title only for first reading. Councilman Probasco moved for passage, Councilman Campbell seconded. Sherry McLauchlan, Community Development Director, explained the proposal. Ordinance 2000-37 passed 8-0 on a roll call vote.

The Clerk read Ordinance 2000-38 (City of Lafayette, Indiana, Officials Salary Ordinance for the Year 2001) by title only for first reading. Councilman Campbell moved for passage, Councilman Fisher seconded. Mona Holdcraft, City Controller, explained the proposal to set the salaries for elected officials for one year. Councilman Roswarski moved to amend the proposal to reduce the council salary to the 2000 level, Councilman Meyer seconded. Councilman Meyer reminded council that there was a substantial increase in 2000 and agreed that the 2000 level should be maintained. Councilman Brown expressed his support for the amendment. The amendment passed 5-3 on a roll call vote as follows:

Ayes: Boehning, Klink, Meyer, Brown, Roswarski
Nays: Probasco, Campbell, Fisher

Councilman Meyer inquired about the percentage changes between civil city, water and sewer fund. Ms. Holdcraft explained the reason for the adjusted percentages. Ordinance 2000-38, as amended, passed 8-0 on a roll call vote.

Councilman Meyer moved to set a public hearing on Ordinance 2000-38, as amended, for September 11, 2000 at 7:01 p.m, Councilman Brown seconded. The motion passed by unanimous voice vote.

The Clerk read Ordinance 2000-39 (An Ordinance Fixing the Salaries of the Appointed Officers and Employees Except Sworn Protective Occupation and Law Enforcement Members of the Police and Fire Departments of the City of Lafayette, Indiana, for the Year 2001) by title only for first reading. Councilman Fisher moved for passage, Councilman Campbell seconded. Ms. Holdcraft explained the process for setting the salaries. Councilman Roswarski inquired about the possibility of acquiring job descriptions for each job in the ordinance. Ms. Holdcraft explained that the descriptions are on file in the Human Resources department and in each department. Ms. Holdcraft further explained that an outside consultant has reviewed each job in the City of Lafayette. Kathy Wade, Human Resources Director, explained the job classification system. Councilman Roswarski asked if agreements have been reached with all bargaining units. Ms. Wade stated that they are not complete but it is her hope that they will be approved prior to second reading. Councilman Campbell stated that this is not an unusual situation. Councilman Meyer inquired about several job classifications. Councilman Meyer asked if the city is able to do the research to recommend future increases. Ms. Wade explained the advantages to using an outside firm that has access to statewide research information. Councilman Campbell stated that the experts understand market forces for employees throughout the state. Ms. Wade stated that it is important to be competitive in the job market. Mayor Heath stated that it is important to remain competitive in the job market to attract qualified employees. Mayor Heath stated that the city should utilize the system that has been started in order to stay competitive. Councilman Boehning asked Mayor Heath if the system helps attract employees and the Mayor stated that he feels that it does. Ordinance 2000-39 passed 7-1 on a roll call vote with the vote being as follows:

Ayes: Boehning, Klink, Meyer, Probasco, Campbell, Brown, Fisher

Nays: Roswarski

The Clerk read Ordinance 2000-40 (An Ordinance Appropriating Money for the Purpose of Defraying the Expenses of Several Departments of the City Government of the City of Lafayette, Indiana for the Fiscal Year Beginning January 1, 2001 and Ending December 31, 2001, Including the Outstanding Claims and Obligations and Fixing a Time When the Same Shall Take Effect) by title only for first reading. Councilman Probasco moved for passage, Councilman Boehning seconded. Ms. Holdcraft explained the process for compiling the 2001 budget, the budget review process, and information that has been distributed to each council member. Ms. Holdcraft highlighted some of the increases in budgets. Ms. Holdcraft requested that council members look at the budget and not the estimated tax rate because there are many uncertainties in funding and Ms. Holdcraft explained those outside factors. Councilman Campbell thanked Ms. Holdcraft for her presentation. President Rhoda outlined the budget process that will include a public hearing on September 11, 2000 and the second and final reading on September 27, 2000 so there is ample time to inquire about the budget. Councilman Probasco made several observations about the budget as presented and stated that the budget is in good order. Councilman Probasco encouraged council members to pass the budget as presented and use the next few weeks to look more thoroughly at the budget. Councilman Fisher spoke in favor of the budget. Councilman Roswarski thanked Ms. Holdcraft for all of the information that has been provided. Councilman Roswarski asked if informational sessions could be held prior to the first reading of the budget. Councilman Fisher explained that this is the process that has always been used. Councilman Klink also thanked Ms. Holdcraft for the detail that has been provided and stated that he is looking forward to meeting with department representatives to ask further questions. President Rhoda stated that meetings would be held on August 15, 2000 with Department representatives. Councilman Meyer also thanked Ms. Holdcraft for the information provided. Councilman Meyer asked for further breakdowns on department expenditures such as health care premiums. Councilman Meyer inquired about the Cumulative Capital Development Fund, funding for the large trash receptacles and future funding for Edgelea Pool renovations. Vicki Mayes, Park Superintendent, stated that there would be master planning for park needs and that aquatic needs would be included in future bonding. Councilman Roswarski asked how much money is being budgeted for trash receptacles. Ms. Holdcraft stated that the tipping

fee rates are not yet established so the funding is uncertain. Councilman Boehning inquired about the fire department budget. Councilman Campbell stated that the Lafayette Citizens Band budget has been increased and Mr. Fisher stated that council members should attend the concerts. Councilman Brown inquired about increases in Park Department salaries. Ms. Holdcraft explained that some positions are being increased due to the wage study. Councilman Probasco explained the lengthy process that was utilized to establish the job descriptions and associated salaries. Councilman Campbell inquired about COIT funds and how those funds will be impacted. President Rhoda thanked Ms. Holdcraft for all of her hard work and Ms. Holdcraft thanked the Department heads for their input in the budget process. Ordinance 2000-40 passed 7-1 on a roll call vote with the vote being as follows:

Ayes: Boehning, Klink, Meyer, Probasco, Campbell, Brown, Fisher
Nays: Roswarski

Resolutions:

The Clerk read Resolution 2000-18 (A Resolution Requesting the Area Plan Commission to Study and Create a Land Use Plan and Zoning Proposal for the Hanna Neighborhood Association) by title only for first and final reading. Councilman Probasco moved for passage, Councilman Brown seconded. Jan Pearlman-Cortner, representing the Hanna Neighborhood Association, spoke in favor of the resolution. Councilman Brown thanked the association members for their hard work in the neighborhood. Resolution 2000-18 passed 8-0 on a roll call vote.

President Rhoda stated that Ordinance 2000-20 (An Ordinance Vacating Gravier Street in the City of Lafayette, Indiana, Petitioner, City of Lafayette) and Ordinance 2000-29 (An Ordinance to Add a New Chapter Regarding Use of Public Rights-of-way by Telecommunication Providers) would remain tabled until time uncertain.

Councilman Probasco moved to set a public hearing on Ordinance 2000-40 for September 11, 2000 at 7:02 p.m., Councilman Campbell seconded. The motion passed by unanimous voice vote.

Reports of Standing Committees: Councilman Meyer stated that the Ordinance Committee's Telecommunications Task Force continues to meet.

Report by Mayor: Mayor Heath thanked council members for passage of the budget and also Mona and the Department heads for their hard work in preparing the budget. Mayor Heath stated that if the budget were passed as it is today, that Lafayette's tax rate would still be the lowest of all second-class cities. Mayor Heath introduced Edward Dietrick as the new Water Billing office manager.

Reports of Councilmen: Councilman Fisher acknowledged the Fire Department retirements of Private Robert Bresnahan with 23 years of service, and Captain Jim Moser with 40 years of service. Councilman Fisher asked the City Clerk to send letters of congratulations and thanks for their years of service on behalf of council.

Councilman Roswarski thanked Opal Kuhl and Mike Parks for establishing school zones by Vinton School and at 29th and Greenbush.

Public Comment: Marjorie Johnson, 807 South 5th Street, stated that there are problems throughout her neighborhood regarding ordinance violations.

Jim Tilton, Lafayette Citizens Band, thanked the city for their support of the citizens band.

There being no further business to come before the Council, Councilman Campbell moved to adjourn, Councilman Probasco seconded. The motion to adjourn passed by unanimous voice vote. Time being 8:55 p.m.

Minutes prepared by Lisa Decker, City Clerk